IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FOURTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HONOURABLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.13473 of 2004

Between:

1. Tejavath Pullamma, W/o.Lalya, 48 years.
2. Teavath Chekkiru, W/o.Chandra, 45 years.
3. E. Bhaskarachari, S/o.I.M.Chari, 46 years.
4. Dundigal Sohab, W/o.Dundigal Devender Reddy, 38 years.
5. Kummari Balamani, W/o.Agamaiah, 40 years,
6. Mancha Rajaiah, S/o.Balaiah, 43 years.
7. Kummari Mangamma, W/o.Sailoo, 42 years.
8. Banothu Lakshmi, W/o.Bojya, 45 years.

(All are R/o Ravalkole Village, Medchal Mandal, Ranga Reddy District).

...PETITIONERS

AND

1. The District Collector, Ranga Reddy District, at Lakdikapool, Hyderabad.
2. The Revenue Divisional Officer, East Division, Ranga Reddy District, at Hyderabad.
3. The Mandal Revenue Officer, Medchal, Ranga Reddy District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction, preferably one in the nature of Writ of Mandamus, declaring the order of the 3rd respondent dated 28-7-1998 canceling the Assignment pattas granted earlier by him in favour of the petitioners herein in File No. B/3050/95, dated 11.12.1997, in respect of the lands to an extent of 0-20 guntas each in Survey Nos.233 and 234 of Ravalkole Village, Medchal Mandal, Ranga Reddy District, as illegal arbitrary violative of Principles of natural justice and also violative of Articles 14, 16 and 21 of the Constitution of India and consequently direct the respondents herein to provide alternative lands in favour of the petitioners for their livelihood forthwith.

Counsel for the Petitioners: MR.J.KANAKAIAH

Counsel for the Respondents: GP FOR REVENUE

The Court at the admission stage made the following:

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ORDER:

The petitioners herein were assigned small extents of lands admeasuring 0.20 gts in Survey Nos.232, 233 and 234 of Ravalkole village, Medchal Mandal, Ranga Reddy District. The land is admittedly surplus land declared as such under the provisions of A.P.Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 ('the Act' for brevity). The assignment was made when the appeal before the Land Reforms Tribunal (for short 'the Tribunal') filed by the persons in occupation was pending. The Tribunal ultimately ordered to delete the three Survey numbers from the surplus land. Accordingly the assignment made in favour of the petitioners in December 1997 was cancelled on 28.07.1998. Some of the assignees filed Writ Petition being W.P.No.21359 of 2003. This Court by order, dated 24.11.2003 dismissed the Writ Petition observing that as the cancellation was vacated pursuant to the orders of the Tribunal dated 24.08.1998, the said order is revisable order under Section 21 of the Act. This Court also observed that the assignees without questioning the cancellation order could not have filed the Writ Petition. Therefore, the petitioners obtained a statement showing the list of assignees whose assignments were cancelled by order dated 28.07.1998 and filed the present Writ Petition.

The observations and findings recorded by this Court in W.P.No.21359 of 2003 have become final and for the same reasons which I respectfully adopt, the Writ Petition is liable to be dismissed.

Sri Jalli Kanakaiah, learned counsel for the petitioners brought to the notice of this Court a communication from the District Collector, Ranga Reddy District addressed to the second respondent herein to sell alternate lands in lieu of the lands in Survey Nos.232, 233 and 234. The said communication was sent in June 1998 and the latest position is not known. Therefore, the petitioners may pursue with the Revenue Divisional officer who shall take action in accordance with the provisions of the Act within a period of four (4) months.

The Writ Petition with the above observations and directions is disposed of.

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(V.V.S.RAO, J)

4th August 2004

RRB

Copies To:

1. The District Collector, Ranga Reddy District, at Lakdikapool, Hyderabad.
2. The Revenue Divisional Officer, East Division, Ranga Reddy District, at

Hyderabad.

3. The Mandal Revenue Officer, Medchal, Ranga Reddy District.

4. Two CCs to the G.P. for Revenue, High Court Buildings, Hyderabad (OUT).

5. Two CD copies.